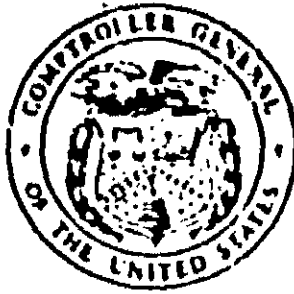


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## DECISION

THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D.C. 20548

FILE: B-205421

DATE: November 19, 1981

MATTER OF: DOT Systems, Inc.

## DIGEST:

Questions concerning small business size status are not for consideration by GAO since conclusive authority over such matters is vested by statute in SBA.

DOT Systems, Inc. (DOT), protests the award of a contract to any travel agent as a small business under request for proposals (RFP) L/A 81-35, issued by the United States Department of Labor, and RFP GS-00T-011-81, issued by the General Services Administration. Both RFP's are for procurement of travel services by these agencies. DOT questions the small business size status of travel agent offerors under these RFP's.

Under 15 U.S.C. § 637(b)(6) (1976), the Small Business Administration (SBA) is empowered to conclusively determine matters of small business size status for Federal procurement purposes. Under 15 U.S.C. § 634(b)(6) (1976), the SBA has the authority to make such rules and regulations as are deemed necessary to carry out the authority vested in the SBA by this law. It is the duty of SBA, not this Office, to determine whether a concern is a small business for purposes of a particular procurement and SBA's determination is conclusive upon the procurement agency involved. Jani Pro Corporation, B-203713, January 29, 1981, 81-1 CPD 539.

In view of the above, the protest is dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
Acting General Counsel